

ILLINOIS VEHICLE CODE AND BAIL RULE

PARTICIPANT GUIDE

CHICAGO POLICE DEPARTMENT



EDUCATION AND TRAINING DIVISION

Revised for ILETSB September 2016, T.T.S. Barbara J Barrett

Illinois Vehicle Code (IVC) General Definitions

The recruit will be able locate and define the following:

Antique Vehicle (625 ILCS 5/1-102.1) ***Example*** – A 1956 Ford Thunderbird being driven to an antique car show.

Important Points –

Autocycle (625 ILCS 5/1-104.2) ***Example*** – Elio Motors

Important Points –

Authorized Emergency Vehicle (625 ILCS 5/1-105) ***Example*** – A city police vehicle or fire engine.

Important Points –

Cancellation of a Driver's License (625 ILCS 5/1-110) ***Example*** – A person married and the last name changed. The SOS cancelled the license with the former name and reissued another license with the correct name.

Important Points –

Crosswalk (625 ILCS 5/1-113) ***Examples*** – The picture to the left is an example of a crosswalk with painted lines. The picture to the right is a picture of a crosswalk using the curb line extensions of the roadway.



Important Points –

Driver (625 ILCS 5/1-116) **Example** – When an individual is the only person in a vehicle and the vehicle is running, in gear, that person is the driver. Now, consider a slightly different scenario. The same person is in the vehicle and he/she is passed out due to intoxication and his foot is on the brake. In this instance, the vehicle is not being driven (per se), but the intoxicated person behind the wheel is in control of the vehicle.

Important Points –

Highway (625 ILCS 5/1-126) **Example** – The entire road, including the paved surface and shoulders.

Important Points –

Local Authorities (625 ILCS 5/1-140) **Example** – The most common example of a local ordinance or traffic law at the local level is setting speed limits in residential areas of a city.

Important Points –

Low speed vehicle (625 ILCS 5/1-140.7) **Example** – Resort property transportation.

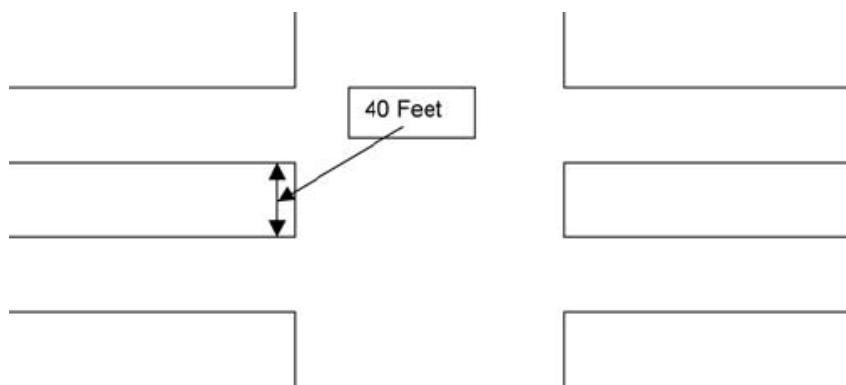
Important Points –

Merging Traffic (625 ILCS 5/11-905) **Example** – Consider an interstate “cloverleaf” exit ramp system where one vehicle may be entering the interstate and another vehicle may be exiting the interstate. The drivers of both vehicles are responsible for avoiding a collision.

Important Points –

Intersection (625 ILCS 5/1-132) **Example** – A “four-way” intersection is the most common

intersection. The
below illustration
there are actually
two intersections.



Important Points –

Motor Vehicle (625 ILCS 5/1-146) ***Example*** – A 2004 Ford Thunderbird, a 1999 Toyota Tundra, etc.
 Important Points –

Motorcycle (625 ILCS 5/1-147) ***Example*** – a 1999 Honda Gold Wing
 Important Points –

Motor Driven Cycle (625 ILCS 5/1-145.001) ***Example*** – A motor scooter.
 Important Points –

Official Traffic Control Devices (625 ILCS 5/1-154) ***Example*** – Stop signs, stop lights, yield signs, painted arrows on the pavement, “no turn on red light” signs, etc.
 Important Points –

Operate (625 ILCS 5/1-154.1) ***Example*** – A person riding a bicycle is “operating” the bicycle.
 Important Points –

Operator (625 ILCS 5/1-154.2) ***Example*** – A person riding a bicycle.
 Important Points –

Owner (625 ILCS 5/1-155) ***Example*** – A Rent-a-Car company is the owner of a vehicle.
 Important Points –

Passenger Car (625 ILCS 5/1-157) **Example** – 2004 Honda Civic

Important Points –

Police Officer (625 ILCS 5/1-162) **Example** – A Chicago Police Department patrol officer.

Important Points –

Probationary License to Drive (625 ILCS 5/1-164.1) **Example** – If John Smith's license was suspended for Driving under the Influence (DUI), he may have been issued a probationary license in order to drive to work legally.

Important Points –

Revocation of Driver's License (625 ILCS 5/1-176) **Example** – If John Smith has been convicted of several DUIs, the Secretary of State may revoke his license.

Important Points –

Right of Way (625 ILCS 5/1-177) **Example** – If a pedestrian was halfway across a crosswalk at a four-way stop sign intersection, which was against a two-lane one-way street, the pedestrian would have the right of way to continue and the oncoming vehicle should allow the pedestrian to proceed.

Important Points –

Roadway (625 ILCS 5/1-179) **Example** – The area between the far right and left painted boundary lines on a road.

Important Points –

Shoulder (625 ILCS 5/1-187.1) **Example** – The rough paved area outside the painted boundary lines on a road.

Important Points –

Revised October 2011, by P.O. A. Ferreira/Updated-Shaw May 2012/reformat Nov 2013

Sidewalk (625 ILCS 5/1-188) ***Important Points*** –

Stop (625 ILCS 5/1-199) ***Example*** – If a vehicle makes a “rolling stop” at a stop sign, but does not cease all forward movement, the vehicle did not stop.

Important Points –

Street (625 ILCS 5/1-201) ***Example*** – Consider a residential side street.

Important Points –

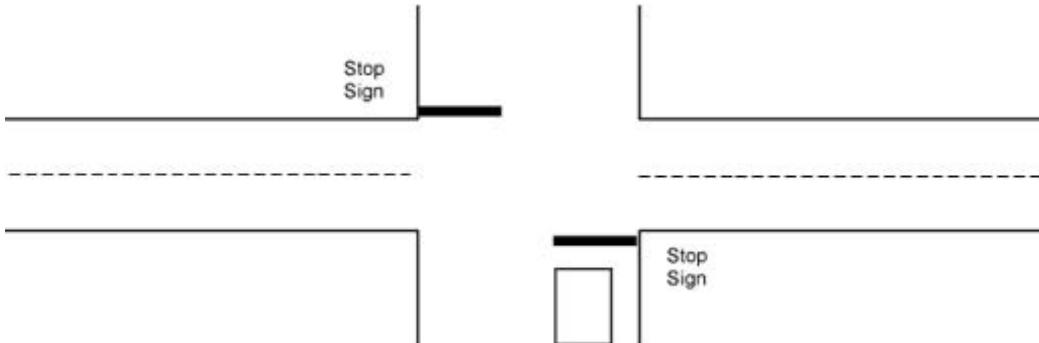
Suspension of Driver’s License (625 ILCS 5/1-204) ***Example*** – A John Doe may have his license suspended for 60 days. After 60 days, the license will again become valid.

Important Points –

Vehicle (625 ILCS 5/1-217) ***Example*** – A 1990 Ford F-150 is a motor vehicle. If this truck is towing a trailer with a motorcycle on the trailer, the trailer is a vehicle.

Important Points –

Yield Right-of-Way (625 ILCS 5/11-904) ***Example*** – Suppose a driver is stopped at a stop sign at a four-way intersection (see below) and is stopped at the stop line. Even though this driver has stopped, the driver must still yield the right of way to vehicles traveling on the roadway not regulated by a stop sign. If the driver proceeds after having stopped, but a vehicle was in close proximity (dangerously close) and becomes involved in a collision, the stopped vehicle would have failed to yield the right of way. In other words, just because the vehicle stopped, doesn’t mean the driver completed his/her obligation of not waiting until it was safe to proceed into the intersection.



Important Points –

IVC Violations-Registration Requirements

Review the vehicle registration requirements of the Illinois Vehicle Code.

Review the driver's license requirements of the Illinois Vehicle Code.

Review the Illinois Vehicle Code statutes pertaining to the licensing of drivers.

Identify the different "classes" of driver's licenses.

Vehicles Required to be Registered (625 ILCS 5/3-401) **Example** – This is most commonly verified through LEADS, by the presence of a metal license plate, or a temporary license plate issued by the Secretary of State.

Important Points –

Vehicles Exempt from Registration (625 ILCS 5/3-402) **Example** – A person from Indiana driving a vehicle registered in Indiana is stopped in Illinois while traveling to see a relative in Iowa. This person is not required to have his vehicle registered in Illinois.

Important Points –

Registration Card to be Carried by Certain Vehicles (625 ILCS 5/3-411)

Example – A 24' moving truck is likely to weigh over 8000 pounds and must have a registration card in the vehicle.

Important Points –

Display of Registration (625 ILCS 5/3-413) **Example** – A 2000 Dodge pickup truck must have two license plates displayed with the registration sticker affixed to the rear license plate.

Important Points –

Vehicles Required to Show Proof of Insurance (625 ILCS 5/3-707)

Example – If an officer stops a vehicle for a violation and the driver presents an insurance card, the officer should examine the card to ensure it appears authentic, indicates the policy meets the minimum liability limits, indicates the vehicle noted on the card is the same as the one being investigated, and note the name of the insurance company. Many insurance cards have the insurance agent's phone number, which may be called to verify the insurance policy is valid. Officers should remember certain people have purchased a six-month insurance policy, received the insurance card indicating coverage for six months, and then cancelled the policy after a short time.

Important Points –

Registration – New Residents (625 ILCS 5/3-801) **Example** – A person from Wisconsin, who owns a vehicle properly registered in Wisconsin, moved to Illinois 10 days ago does not have to apply for Illinois vehicle registration until the expiration of the 30 day statutory grace period.

Important Points –

Driver's License Requirements

Driver's License Requirements (625 ILCS 5/6-101) **Example** – Officers will typically request and inspect a driver's license from drivers stopped for traffic offenses.

Important Points –

Driver Exempt from Licensing (625 ILCS 5/6-102) **Example** – If a person moves to Illinois from Indiana and has a valid Indiana driver's license, this person can legally drive in Illinois for 90 days before the person must obtain an Illinois license.

Important Points –

License and Permits to be Carried and Exhibited on Demand (625 ILCS 5/6-112)

- Example** – If a person is stopped for speeding, the officer should demand the person's license and the person is required by this statute to provide the license. If the person fails to provide the license, the officer should check the person through LEADS to determine if the person has a valid license and simply doesn't have the license on his/her person, or if the person is not licensed.
- Important Points** –

Driver's License Classes – The Secretary of State issues the following classes of driver's licenses based on the gross vehicle weight rating (GVWR) of the vehicle being driven. Officers should check the GVWR of the vehicle and the operator's driver's license for the appropriate license class.

Class A – operator of combination of vehicles with GVWR of 26,001 lbs. or more; requires Commercial Driver's License (CDL)

Class B – single vehicle with GVWR of 26,001 lbs. or more; requires Commercial Driver's License (CDL)

Class C – vehicle with GVWR of 16,000 to 26,000 lbs.; vehicle carrying 16 or more passengers (requires CDL)

Class D – basic operator's license

Class L – motorcycle with less than 150 cc displacement (e.g., moped)

Class M – motorcycle

- Important Points** –

Graduated License (625 ILCS 5/6-107) **Example** – The Graduated Driver Licensing program governs drivers up to the age of 21 and consists of three phases.

- Important Points** –

- Driver Licensing Phases** – What are the pertinent provisions of each licensing phase:

Permit Phase – Drivers Age 15

Initial Licensing Phase – Drivers Age 16 – 17

Full Licensing Phase – Drivers 18 – 20

Restricted Licenses and Permits (625 ILCS 5/6-113) *Example* – If a person wears glasses, the person will have a “B” under Restrictions on the front of the license and a “B – Corrective Lenses” on the back of the license.

Important Points –

Unlawful Use of License or Permit (625 ILCS 5/6-301) *Example* – John Doe lends his license to Tom Smith to use because Tom’s license is suspended.

Important Points –

Fictitious or Unlawfully Altered Driver’s License or Permit (625 ILCS 5/6-301.1) *Example* – If a person cuts into a license to change their date of birth or a restriction, this statute is violated.

Important Points –

Driving While License, Permit, or Privilege to Operate a Motor Vehicle is Suspended or Revoked (625 ILCS 5/6-303) *Example* – If John Doe’s driver’s license is suspended, he cannot legally drive.

Important Points –

Procedures for traffic violations (625 ILCS 5/6-308) *Example* – John Doe is issued a citation for violating a section of the IVC, and signs the citation rather than post bond. John Doe fails to appear in court and has his license suspended by the Secretary of State.

Important Points –

Commercial Driver’s License (CDL) or Commercial Learner’s Permit (CLP) Required (625 ILCS 5/6-507) *Example* – If John Doe is driving a semi-tractor and trailer, he must have a CDL.

Important Points –

IVC Violations-Moving Violations

Review the elements of moving violations in the Illinois Vehicle Code.

Provisions of the Act Refer to Vehicles Upon the Highway -Exceptions (625 ILCS 5/11-201)

Example – A large shopping center or mall generally has stop signs or other regulator markers. Unless the vehicle is on a highway that is publicly maintained, violations are not enforceable.

Important Points –

Required Obedience to Traffic Laws (625 ILCS 5/11-203) **Example** – A driver ignores a school crossing guard and drives through a crosswalk with children present.

Important Points –

Obedience to Police Officers (625 ILCS 5/11-203) **Example** – A school crossing guard may enter a crosswalk and stop traffic in order for children to cross the street.

Important Points –

Fleeing or Attempting to Elude a Peace Officer (625 ILCS 5/11-204)

Example – An officer in a marked police vehicle and in uniform activates the vehicle overhead lights and siren to notify a driver to stop, but the driver increases his speed to “run away” from the pursuing officer.

Important Points –

Aggravated Fleeing or Attempt to Elude a Peace Officer (625 ILCS 5/11-204.1)

Example – A vehicle fleeing from an officer travels at a speed of 95 miles per hour in a posted 55 mile per hour zone.

Important Points –

Public Officers and Employees to Obey Act – Exceptions (625 ILCS 5/11-205)

Example – A fire department ladder truck responding to a fire alarm may exceed the speed limit to the call; however, the vehicle is not permitted to exceed the speed limit returning to the station from the call.

Important Points –

Obedience to Traffic Control Devices (625 ILCS 5/11-306) **Example** – A vehicle may proceed through an intersection regulated by a stop light if the driver is facing a steady green light.

Important Points –

Driving While Under the Influence of Alcohol, Other Drug or Drugs, Intoxicating Compound or Compounds or any Combination thereof (625 ILCS 5/11-501)

Example – A person realizes that s/he is intoxicated and pulls over to sleep it off. A police officer happens upon a parked car with the engine running, wakes the startled driver, and proceeds with a DUI investigation under the premise that the driver is in actual physical control of the vehicle.

Detection of Impaired Motorists: The National Highway Transportation Traffic Safety Administration (NHTSA) sponsored research leading to the development of the DWI Detection Guide. The researchers interviewed officers from across the United States and developed a list of 24 driving cues that have been found

to predict Blood Alcohol Concentrations (BACs) of 0.08 percent or greater. Those clues and specific field tests used for detecting impaired drivers are covered in a different module, called **DUI/Standardized Field Sobriety Tests**.

Transportation or Possession of Alcoholic Liquor (625 ILCS 5/11-502) **Example** – A driver who has a ½ full bottle of tequila on the passenger seat of a pick-up truck is in violation of this statute.

Important Points –

Reckless Driving (625 ILCS 5/11-503) This statute is divided into two components. First, when a vehicle drives with a willful or wanton disregard for the safety of persons or property, such as speeding 30 miles per hour over a posted limit, in a residential area, with children present, and driving in the middle of the road around a curve. The second, when a driver uses an incline at a railroad crossing, hill, or other bridge approach as a ramp to cause the vehicle to become airborne.

Example – The first example should be used with caution. What is considered “reckless” by some individuals may not be deemed reckless by others. Officers should be sure to check agency policy/procedure, as well as the state’s attorney for specific examples or requirements to meet the elements of this component.

Important Points –

Rapid Acceleration (625 ILCS 5/11-505) **Example** – A driver at a stoplight unnecessarily “punches” the accelerator to cause the vehicle tires to spin before gripping the roadway. Generally, weather conditions should be considered and snow or rain may cause vehicle tires to spin unintentionally.

Important Points –

Street Racing; Aggravated Street Racing (625 ILCS 5/11-506) **Example** – Two vehicles line up next to each other and race down a residential street to determine which vehicle is faster.

Important Points –

General Speed Restrictions (625 ILCS 5/11-601) **Example** – A driver traveling at 50 MPH in a posted 55 MPH zone may commit a violation if the vehicle is being driven in dense fog at night on a curved roadway.

Important Points –

Driving 26 MPH or more in excess of applicable limit (625 ILCS 5/11-601.5) **Example** – A driver is traveling at 77 MPH in a posted 50 MPH zone.

Important Points –

Alteration of Limits by Department (625 ILCS 5/11-602) **Example** – Consider a road that is oriented east/west. An officer conducting speed enforcement should be aware of the point (500 feet after the sign noted by the line across the street) when RADAR may be used (the arrow to the right).

Important Points –

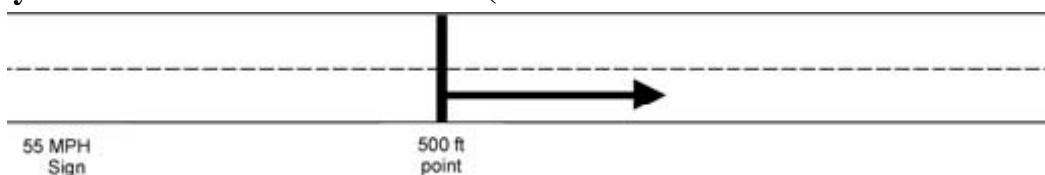
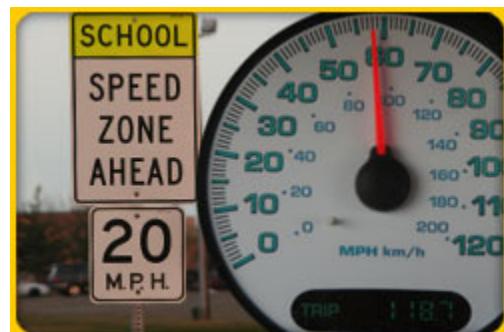
Alteration of Limits by Local Authorities (625 ILCS 5/11-604) **Example** – A county board may lower a speed limit in an urban district to 25 MPH.

Important Points –

Special Speed Limit While Passing Schools (625 ILCS 5/11-605) **Example** – A driver is traveling at 40 MPH in a school zone at 7:45 a.m.

Important Points –

Special Speed Limit While Travelling Through a Highway Construction or Maintenance (625



ILCS 5/11-605.1) **Example** – A driver is traveling at 70 MPH on an expressway undergoing construction with a posted speed limit of 40 MPH.

Important Points –

Drive on right side of the roadway (625 ILCS 5/11-701) *Example* – A driver may drive in the left lane when overtaking or passing a slower vehicle in the right lane when road conditions and the presence of other vehicles allow.

Important Points –

Passing Vehicles Proceeding in Opposite Directions (625 ILCS 5/11-702) Vehicles traveling in opposite directions must pass each other on the right and each driver must position the vehicle to allow ½ of the roadway for the other driver. *Example* – Drivers on two-lane east/west roadways will pass each other to the right.

Important Points –

Passing Vehicles Proceeding in Opposite Directions (625 ILCS 5/11-702) *Example* – Drivers on two-lane east/west roadways will pass each other to the right.

Important Points –

Overtaking a Vehicle on the Left (625 ILCS 5/11-703) *Example* – If a vehicle is passing another vehicle on the left, the passing vehicle must only do so when it is safe to enter the left lane of traffic and return to the right lane of traffic after having passed the vehicle.

Important Points –

When Overtaking on the Right is Permitted (625 ILCS 5/11-704) *Example* – A vehicle may pass another vehicle on the right when that vehicle is making a left turn and there is unobstructed pavement and clearance to the right.

Important Points –

Limitations on Overtaking on the Left (625 ILCS 5/11-705) *Example* – A driver should consider the distance or presence of oncoming traffic before overtaking a vehicle on the left.

Important Points –

Further Limitations on Driving to the Left of Center of a Roadway (625 ILCS 5/11-706) □

Example – A driver cannot pass another vehicle while the vehicle is within 75 feet of an intersection.

□ **Important Points –**

No-Passing Zones (625 ILCS 5/11-707) □ *Example* – A driver is passing another vehicle in a no-passing zone that is clearly marked with no-passing signs or markings.

□ **Important Points –**

One-Way Roadways and Rotary Traffic Islands (625 ILCS 5/11-708) □ *Example* – If traveling on an interstate highway, the driver is prohibited from traveling through a grassy area or a cross-over area to reach the other side and to change directions.

□ **Important Points –**

Driving on Roadways Laned for Traffic (625 ILCS 5/11-709) □ *Example* – Many two-way three lane roads provide a center lane that is often designated as a turn lane. Drivers may enter this lane when making a left turn.

□ **Important Points –**

Driving on Shoulders (625 ILCS 5/11-709.1) □ *Example* – A driver slows to stop on a shoulder to make a cellular phone call.

□ **Important Points –**

Following too closely (625 ILCS 5/11-710) □ *Example* – In many collision investigations where one vehicle “rear-ended” another vehicle, the officer may not be able to determine if the rear vehicle was speeding. However, in most cases the driver most likely failed to obtain a safe distance between vehicles.

□ **Important Points –**

Restrictions on the Use of Controlled Access Highway (625 ILCS 5/11-711) *Example* – A driver that drives onto a controlled access highway from a rural road without a designated access point (paved access ramp).

Important Points –

Required Position and Method of Turning (625 ILCS 5/11-801) *Example* – A driver making a left turn fails to use a center turn lane specifically designated for left turns at an intersection and either stops in the right lane or makes the left turn in the right lane.

Important Points –

Limitations on U-Turns (625 ILCS 5/11-802) *Example* – A driver may not make a U-turn on a curve.

Important Points –

Starting Parked Vehicles (625 ILCS 5/11-803) *Example* – A parked vehicle cannot enter a traffic lane where other vehicles are present.

Important Points –

When Signal Required (625 ILCS 5/11-804) *Example* – If a vehicle will turn right from a roadway into a private drive, the driver must signal at least ____ feet (note the distance in the statute) before the drive.

Important Points –

Signal by Hand or Arm or Signal Device (625 ILCS 5/11-805) *Example* – A driver may use the left turn signal in indicating the intent to turn left.

Important Points –

Method of Giving Hand and Arm Signals(625 ILCS 5/11-806) *Example* – A person making a left turn with a hand/arm signal must extend the hand and arm horizontally out of the left side of the vehicle.

Important Points –

Vehicles Approaching or Entering an Intersection (625 ILCS 5/11-901) *Example*—Driver eastbound on Jackson approaching Throop.

Important Points –

Vehicles turning left (625 ILCS 5/11-902) *Example* – Driver eastbound on Jackson turning North on Throop.

Important Points –

Vehicles entering stop or yield intersection (625 ILCS 5/11-904) *Example* – Driver eastbound on Jackson crossing Throop.

Important Points –

Merging traffic (625 ILCS 5/11-905) *Example* – Driver entering Eisenhower Expressway from Racine.

Important Points –

Vehicle Entering Highway from a Private Road or Driveway (625 ILCS 5/11-906) *Example* – A driver coming out of a private drive and entering a highway must yield the right of way to vehicles on the highway.

Important Points –

Operation of Vehicles and Streetcars on Approach of Authorized Emergency Vehicles (625 ILCS 5/11-907) *Example* – If a fire truck is approaching from behind with lights and siren activated, drivers must move to the right side of the road and beyond any intersection, and wait for the fire truck to pass

Important Points –

Vehicle approaching or entering a highway construction or maintenance area or zone (625 ILCS 5/11-908) *Example* – Driving on any highway where authorized construction or maintenance is being performed, yield to workers, vehicles and obey flaggers/traffic control signals.

Important Points –

Stop and Yield Signs (625 ILCS 5/11-1204) *Example* – A driver approaching a stop sign-controlled intersection must stop at the appropriate location before proceeding.

Important Points –

Emerging from an Alley, Building, or Private Road or Driveway (625 ILCS 5/11-1205)

Example – A driver in a city who is emerging from an alley must stop before entering the street.

Important Points –

IVC Violations – Equipment Violations

Review the elements of vehicle equipment violations in the Illinois Vehicle Code.

Scope and Effect of Equipment Requirements (625 ILCS 5/12-101)

Important Points – Vehicle owners must ensure their vehicles are safe and in compliance with the 625 ILCS 5/12. Note the exceptions.

When Lamps are Required (625 ILCS 5/12-201) ***Example*** – A vehicle driving at 1:00 a.m. must have illuminated headlamps. Note the statute requires headlamps be activated, and “parking lights” are insufficient.

Important Points –

Spot Lamps and Auxiliary Driving Lamps (625 ILCS 5/12-207) ***Example*** – A vehicle that directs the high intensity portion of a spot lamp toward oncoming traffic.

Important Points –

Signal Lamps and Signal Devices (625 ILCS 5/12-208) ***Example*** – A vehicle with a “burned out” tail lamp is in violation, as it is not visible from at least 300 feet.

Important Points –

Additional Lighting Equipment (625 ILCS 5/12-209) ***Example*** – A vehicle with more than one running board courtesy lamp on each side of the vehicle is in violation.

Important Points –

Use of Head Lamps and Auxiliary Driving Lamps (625 ILCS 5/12-210) ***Example*** – A driver with “high beams” illuminated approaches an oncoming vehicle within 100 feet and fails to dim the lights.

Important Points –

Number of Driving Lamps Required or Permitted (625 ILCS 5/12-211) **Example** –A driver of a 2005 Ford Mustang with only one illuminated headlamp is in violation while the operator of a 2001 Gold Wing motorcycle is not.

Important Points –

Oscillating, Rotating or Flashing Lights on Motor Vehicles (625 ILCS 5/12-215) **Example**

– An ambulance may use red and white oscillating lights during an emergency call. Generally, officers will enforce this statute when a person mounts a red oscillating light on a vehicle and the person is impersonating a law enforcement officer or other emergency worker.

Important Points –

Operation of Oscillating, Rotating, or Flashing Lights (625 ILCS 5/12-216) **Example** – If an officer observes a traffic violation, the officer must activate the vehicle's oscillating, rotating, or flashing lights to notify the driver.

Important Points –

Windshields and Safety Glazing Material in Motor Vehicles (625 ILCS 5/12-501)

Example – A driver operating a 2006 Honda without a windshield or replaces a broken windshield with ordinary glass is in violation.

Important Points –

Mirrors (625 ILCS 5/12-502) **Example** – A driver operating a vehicle without any mirrors is in violation.

Important Points –

Windshields Must be Unobstructed and Equipped with Wipers (625 ILCS 5/12-503)

Example – A driver operating a vehicle registered in New Mexico may have tinted windows on the driver's and passenger's doors.

Important Points –

Driver and Passenger Required to Use Safety Belts, Exceptions and Penalty (625 ILCS 5/12-603.1) □

Example – A 26-year old back seat passenger riding in a vehicle without a safety belt on.

Important Points –

Bumpers (625 ILCS 5/12-608) □ *Example* – A driver of a 2000 Ford Focus without a bumper is in violation.

Important Points –

Operation of a Vehicle with Police Markings (625 ILCS 5/12-609) □ *Example* – Generally, police vehicles that have excessive miles or that are too expensive to repair are auctioned to the public. Before these vehicles are auctioned, they are generally stripped of all police markings (i.e., name of agency, city, and other letters) and equipment (i.e., overhead lights, radio, prisoner cage, etc.). However, in many cases stripes, spotlights, and other equipment or markings remain and may or may not be considered “markings or equipment.” Officers should check with their specific agency commander/state’s attorney before enforcing this statute, especially if a vehicle will be seized.

Important Points –

Headset Receivers (625 ILCS 5/12-610) □ *Example* – A driver with a pair of headphones on is in violation.

Important Points –

Important Points –

Wireless Telephones (625 ILCS 5/12-610.1)

Electronic Communication Devices (625 ILCS 5/12-610.2)

Sound Amplification System (625 ILCS 5/12-611) – **Example** – A driver is operating a vehicle with a stereo system amplified so that the music is heard from over 75 feet from the vehicle is in violation.

Important Points –

Vehicle Emblem (625 ILCS 5/12-709) **Example** – A driver operating a tractor on a public roadway without a slow-moving vehicle emblem is in violation.

Important Points –

Rear Fender Splash Guards (625 ILCS 5/12-710) **Example** – A moving van over 8000 lbs without rear fender splash guards is in violation.

Important Points –

Construction Equipment to Display Company Name (625 ILCS 5/12-712) **Example** – A bulldozer that is self-propelled without the company name on it is in violation.

Important Points –

Vehicle Code Violations—classifications and penalties, unless otherwise stated in the code:

First or Second conviction: Petty Offenses

Third conviction: Class C Misdemeanor

Important Points

Miscellaneous Traffic-related Offenses

- Pedestrians with Disabilities Safety Act 625 ILCS 60 **Example**—A blind person crossing a street with the aid of a service dog.

Important Points

- Child Passenger Protection Act 625 ILCS 25 **Example**—Three children are passengers in their mother's car: the nine year old is wearing a seat belt, and the three year old is secured in a safety seat.

Important Points

Additional Resources:

Illinois Statutes – www.ilga.gov Municipal Codes – www.municode.com Case Law Updates – www.illinoisprosecutorservices.com General Legal Website – www.findlaw.com Illinois Law Enforcement Training and Standards Board-<https://www.ptbblea.org>

Bonding and Citation Procedures : Part II

Lesson Objectives

Describe the requirements to issue a driver a uniform traffic citation. Review the procedures to check vehicles for proper registration. Review the procedures to check a driver's license. Identify the circumstances when a custody arrest is authorized for a traffic offense. Review the procedures for processing an arrested traffic offender. Identify the required information necessary to complete a uniform traffic citation. Review the legal requirements pertaining to the disposition of traffic violations. Identify the need to explain legal procedures to traffic violators. Review the procedures to accept bond for traffic violations. Identify the specific bonding procedures used in your jurisdiction.

Overview

This section will review the legal requirements and general procedures in conducting roadside investigations during traffic stops. The specific procedures during enforcement and in stopping vehicles were previously reviewed in Patrol Procedures and Vehicle Stops and Occupant Control. Officers should review these modules as necessary. Last, it is important to recognize that the specific procedures in issuing citations and accepting bond may vary considerably in different jurisdictions. Therefore, officers should become familiar with and follow any specific agency policy/procedure.

Roadside Investigations and Citation Procedures

This section is divided into three main components: general status procedures, custodial traffic arrests, and citation issuance. Each section will identify circumstances when these components are applicable and will briefly review the specific procedures. The procedures in each section should be performed in conjunction with the procedures outlined in the Vehicle Stops and Occupant Control and Patrol Procedures modules.

General Status Procedures

Officers should conduct a LEADS check on the vehicle registration and the status of the driver's license. The vehicle identification number is the most reliable number to verify the registration and should be used to confirm the license plate registration belongs to the stopped vehicle. Second, officers should check the driver's license status by using the driver's name, gender, race, date of birth, or driver's license number. The license should be verified by examining the picture on the license, requesting additional identification (if the driver does not have a license) or other methods including SOUNDEX.

Custodial Traffic Arrests

Officers may stop a vehicle for an "on-view" traffic offense and conduct a warrantless arrest of the driver (725 ILCS 5/107-2). Officers should make custodial traffic arrests for Driving under the influence (DUI), driving with a suspended driver's license, driving with a revoked driver's license, or any Class A misdemeanor or felony violation. Generally, DUI arrests and

Revised October 2011, by P.O. A. Ferreira/Updated-Shaw May 2012/reformat Nov 2013 routine issuance of citations do not require a Miranda warning at the initial stop, but should be given after arrest and before questioning. Additional details concerning DUI arrests, including advising the suspect of the implied consent law, will be discussed in the Standardized Field Sobriety Testing course. When a custodial arrest has been made, officers should process offenders as indicated in the Booking Process module, including completing required fingerprint cards and implied consent (where applicable) and advising the offender of any bonding requirements.

Citation Issuance

Officers will generally have three options to complete a traffic stop: arrest the violator (previously discussed), give the driver a verbal warning, or issue the driver a citation. While the officer generally has the discretion to issue a citation instead of making a custodial arrest, a uniform traffic complaint (citation) is normally only issued for petty offenses and minor misdemeanors. State law authorizes the release of the driver on a notice to appear (uniform traffic complaint). This section will review the general requirements and legal foundation for issuing traffic citations. Remember, the procedures outlined in this section may differ from the policies/procedures in place in the officer's jurisdiction; therefore, officers should become familiar with and follow specific agency policy/procedure.

When completing the uniform traffic complaint, the officer should obtain the name, date of birth, and address of the violator. The officer should verify the address on the license is current and correct. Additionally, the officer should note the following on the citation:

- The vehicle make, year, color
- License or registration number
- Violation
- Location of the violation
- Court date, location, and time
- Bond received

After the violator has been issued the citation, the officer should explain the necessary requirements to resolve the citation. A court appearance is necessary for violations of no insurance, no driver's license, drag racing, speeding (more than 30 MPH over the limit), and passing a school bus. If a court appearance is not necessary, the offender may plead guilty by mailing in a signed guilty plea and the appropriate fine (if bond was not posted at the time of the offense). The completed citation should be forwarded to the circuit court clerk within 48 hours.

Traffic Bail Rules and Bonding Procedures

The information presented in this section is intended to provide a general overview of the statutes and procedures officers should follow in accepting bond from traffic violators. Officers should check with their specific agency to determine the particular procedures used to accept bond from traffic violators.

Definitions (Rule 501)

In this section, these terms have the following meaning. Where a term does not have a definition listed, go to the Illinois State Supreme Court website at <http://www.state.il.us/court/SupremeCourt/Rules/> and locate the term's meaning.

- Bond Certificates*** – These are bail security documents that guarantee payment of judgment for fines, penalties, and costs not to exceed \$105 for a single offense and \$300 for multiple offenses arising out of the same offense.
- Cash or Cash Bail*** – This includes U.S. currency, traveler's checks, and negotiable drafts on major credit card companies under certain conditions.
- Conservation Offense*** – Please locate this term on the Illinois State Supreme Court website.
- Driver's License*** – A current driver's license certificate issued by the Secretary of State of Illinois. The following will not be acceptable in lieu of or in addition to bail amounts: restricted driving permits, judicial driving permits, instruction permits, probationary licenses, or temporary licenses.

Issuance of Multiple Citations (Rule 503)

Illinois State Supreme Court Rule 503 outlines the bonding procedures when multiple citations have been issued for a single incident. Generally, the rule encourages officers to avoid issuing multiple citations. The person may be released on his/her promise to appear as with any other citation, shall be released after posting bail on the charge for the highest bail amount. After the final disposition of the charges, the court shall set a final bond amount and will return any excess amount previously posed by the violator.

Court Appearance Dates (Rule 504)

The officer issuing the citation must set a court date not less than 14 days and not more than 60 days from the date of the offense.

Bail Schedules (Rule 526)

The bail amounts vary depending on the vehicle driven and the nature of the offense. For minor traffic violations where the written promise to comply was not obtained, the violator must post a \$75 bond by (1) depositing, in lieu of such an amount, his current Illinois driver's license, (2) by depositing, in lieu of such an amount, an approved bond certificate, or (3) by posting a \$75 cash bail. Please go to the Illinois State Supreme Court website and review the bond amounts located in Rule 526 (c), (d), (e) and (f). Unless otherwise specified in an individual statute, violations of the Illinois Vehicle Code are petty offenses (up to \$1000 or amount specified in the offense, whichever is less) or the violation becomes a Class C misdemeanor if it is the third conviction within one year.

Methods of Posting and Accepting Correct Bond (Rule 553)

The chief judge of a circuit court may authorize deputy circuit clerks and law enforcement officers to accept bail from offenders and locations, including police stations, sheriff's office, jail, and others to make bail. The bond may be in the form of cash (a carbon copy of the bond or receipt or citation is required), driver's license (the officer is required to make a note on the accused's copy of the citation), or bond certificate (I-card or bond card).

Alternatively, the violator, if licensed in another state that is part of the nonresident violator compact, should be released on the driver's promise to appear. The specific procedures required in accepting, receipting, and collecting the appropriate bond may vary depending on the officer's jurisdiction.

Additional Resources:

Illinois Statutes – www.ilga.gov Municipal Codes – www.municode.com Case Law Updates – www.illinoisprousecutorservices.com General Legal Website – www.findlaw.com Illinois Law Enforcement Training and Standards Board-<https://www.ptbblea.org>

Hour 8: Practice exercise # 2: REGISTRATION AND LICENSE REQUIREMENTS

Hour 8: Practice exercise # 3: MOVING VIOLATIONS See next page

| According to the Illinois Vehicle Code (IVC): | YES | NO | Statute |
|--|-----|----|---------|
| Does a farm tractor hauling a trailer full of bailed hay, driven on the highway only few times a year need to be registered with the Secretary of State? | | | |
| A semi tractor is registered in New Mexico, and very frequently drives through the state of Illinois. Does it also have to be registered in Illinois? | | | |
| Does registration card for a 2010 Jeep Cherokee need to be carried in the vehicle and exhibited on demand? | | | |
| The driver you stopped admitted that he moved permanently to Illinois 17 days ago. His vehicle is still registered in Michigan. Is this a violation? | | | |
| The driver you stopped is driving his own Chevy Pinto and has no license. He tells you that he is a Federal Government employee (works for Social Security Administration) and is driving to an official meeting. Is this a violation? | | | |
| The driver you stopped has no license. She is on active duty in the Armed Forces and returned a month ago from Iraq. Is this a violation? | | | |
| According to the Illinois Vehicle Code (IVC): | YES | NO | Statute |
| At the scene of a fire, a fireman directs vehicles into a side street. One driver disregards the fireman's direction and proceeds down the main street. You stop the driver who states that fireman cannot control traffic. Is driver correct? | | | |
| During your lunch break you went to pick up your medication at a local store. Since you drive a police vehicle (an emergency vehicle) you parked your vehicle near the store, next to sign "FIRE LANE – DO NOT PARK". Are you in violation? | | | |

| According to the Illinois Vehicle Code (IVC): | YES | NO | Statute |
|---|-----|----|---------|
| Does a farm tractor hauling a trailer full of bailed hay, driven on the highway only few times a year need to be registered with the Secretary of State? | | | |
| A semi tractor is registered in New Mexico, and very frequently drives through the state of Illinois. Does it also have to be registered in Illinois? | | | |
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| The driver you stopped is driving his own Chevy Pinto and has no license. He tells you that he is a Federal Government employee (works for Social Security Administration) and is driving to an official meeting. Is this a violation? | | | |
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| During your lunch break you went to pick up your medication at a local store. Since you drive a police vehicle (an emergency vehicle) you parked your vehicle near the store, next to sign "FIRE LANE – DO NOT PARK". Are you in violation? | | | |
| A vehicle approaches an intersection controlled by traffic lights. It has a red light facing it. The vehicle slows down and makes a right turn. Is this a violation? | | | |
| The vehicle you stopped has a 40 oz. bottle of King Cobra beer, unopened, between front seats. You warn the driver that's illegal. He says you should go back to the Academy because you need to learn the law. Is he correct? | | | |
| You were issued an electronic speed detecting device (Lidar). There is a speed limit sign of 25 mph in your district, on a business street. You parked next to the sign and started stopping all vehicles going over 25 mph using your new Lidar. In court those citations are being dismissed. Did you do something wrong? | | | |
| Upon 2 lane roadway, do vehicles have to travel as close to the right side as practicable? | | | |
| A vehicle, while being passed, increases speed. Is that a violation? | | | |
| A vehicle driven on a one-way, two lane street approaching a bridge is driving on the left side of the roadway. Is that a violation? | | | |
| The roadway is divided into three lanes: eastbound, westbound, and center lane. You noticed a vehicle overtake another by using a center lane. Violation? | | | |
| You remember that when vehicles follow each other, they must not follow too closely. You observe a funeral procession moving bumper-to-bumper. Violation? | | | |
| On an empty, two-way street, a vehicle makes a u-turn. Violation? | | | |
| Right before turning right, the driver activates turning signal. Violation? | | | |
| Two vehicles approached the four-way intersection at the same time. The vehicle on the left has the right of way. True? | | | |
| A driver approaching an intersection controlled by a YIELD sign does not have to stop his or her vehicle. True? | | | |
| When a vehicle emerges from an alley, it does not have to stop before entering the street as long as it blows the horn three times. True? | | | |

Bicycle _____

Hour 8 Practice Scenario #1:

You are working the 3rd watch in the 26th district and are on routine patrol. While patrolling a residential area you observe a vehicle proceed through an intersection at a moderate rate of speed. As you reach the intersection you observe that a stop sign is posted for the intersection the motorist just drove through and based on your observations it is clear that the motorist failed to obey the stop sign.

Using your I.V.C. Manual, find the appropriate charge for this situation.

Chapter / Section Description

Practice Scenario #2:

You are assigned to investigate a traffic crash involving personal injury and property damage. Upon your arrival you interview both drivers involved and several witnesses. Your interviews lead you to conclude that one of the motorist clearly disobeyed a red light and struck the second vehicle.

Using your I.V.C. Manual, find the appropriate charge for this situation.

Chapter / Section Description

Practice Scenario #3:

You are assigned to assist with traffic control at a fire scene. You are directing traffic when you order a motorist to turn up a side street instead of proceeding straight ahead. Ignoring your order the motorist goes around you and proceeds straight in the direction you ordered him to avoid.

Using your I.V.C. Manual, find the appropriate charge for this situation.

Chapter / Section Description

Hour 8 Practice Scenario #4:

You observe a motorist driving 30 miles per hour down the alley behind a factory at 6500 S. Western Ave. You stop the vehicle. The motorist has a valid license, insurance, and a seat belt on. What ticket (s) should be written?

Using your I.V.C. Manual, find the appropriate charge for this situation.

Chapter / Section Description

Scenario #5:

You observe a motorist driving 30 miles per hour passed St. Mary's grammar school. It is 1400 hours and school has just let out with children present. You observe a sign indicating that this is a school speed zone. You stop the vehicle. The motorist has a valid license, insurance and a seat belt on. What ticket(s) should be written?

Using your I.V.C. Manual, find the appropriate charge for this situation.

Chapter / Section Description

Practice Scenario #6:

You observe a motorist driving 30 miles per hour on S/B Pulaski from 68th St. It is snowing heavily. The streets have not yet been plowed and are covered with snow. As the motorist approaches 69th Street, the light turns red. The motorist is unable to stop in time and strikes another vehicle in the rear. You render aid to the injured, secure the scene, and complete the crash report. The motorist has a valid license, insurance, and was wearing his seat belt. With regard to the motorist's speed, what ticket should be written?

Using your I.V.C. Manual, find the appropriate charge for this situation.

ILLINOIS VEHICLE CODE AND BAIL RULE

WORKBOOK

CHICAGO POLICE DEPARTMENT
EDUCATION **AND**
TRAINING **DIVISION**



Practice exercise # 1. (Hours 1-2, DEFINITIONS)

Find the following definitions (sections) in the Illinois Vehicle Code (IVC):

Practice exercise # 2. (Hours 3-5, REGISTRATION AND LICENSE REQUIREMENTS)

According to the Illinois Vehicle Code (IVC):

| According to the Illinois Vehicle Code (IVC): | YES | NO |
|---|-----|----|
| 1. Does a farm tractor hauling a trailer full of bailed hay, driven on the highway only few times a year need to be registered with the Secretary of State? | | |
| A semi tractor is registered in New Mexico, and very frequently drives through the state of Illinois. Does it also have to be registered in Illinois? | | |
| Does registration card for a 2010 Jeep Cherokee need to be carried in the vehicle and exhibited on demand? | | |
| The driver you stopped admitted that he moved permanently to Illinois 17 days ago. Does a farm tractor hauling a trailer full of bailed hay, driven on the highway only few times a year need to be registered with the Secretary of State? | | |

YES NO

1 A semi tractor is registered in New Mexico, and very frequently drives through the state of Illinois. Does it also have to be registered in Illinois? YES NO

2 Does registration card for a 2010 Jeep Cherokee need to be carried in the vehicle and exhibited on demand? YES NO

3 The driver you stopped admitted that he moved permanently to Illinois 17 days ago. His vehicle is still registered in Michigan. Is this a violation? YES NO

4 The driver you stopped is driving his own Chevy Pinto and has no license. He tells you that he is a Federal Government employee (works for Social Security Administration) and is driving to an official meeting. Is this a violation? YES NO

5 The driver you stopped has no license. She is on active duty in the Armed Forces and returned a month ago from Iraq. Is this a violation? YES NO

Practice exercise # 3. (Hours 6-10, MOVING VIOLATIONS)

According to the Illinois Vehicle Code (IVC):

1. At the scene of a fire, a fireman directs vehicles into a side street. One driver disregards the fireman's direction and proceeds down the main street. You stop the driver who states that fireman cannot control traffic. Is driver correct?

YES NO

2. During your lunch break you went to pick up your medication at a local store. Since you drive a police vehicle (an emergency vehicle) you parked your vehicle near the store, next to sign "FIRE LANE – DO NOT PARK". Are you in violation?

YES NO

3. A vehicle approaches an intersection controlled by traffic lights. It has a red light facing it. The vehicle slows down and makes a right turn. Is this a violation?

YES NO

4. The vehicle you stopped has a 40 oz. bottle of King Cobra beer, unopened, between front seats. You warn the driver that's illegal. He says you should go back to the Academy because you need to learn the law. Is he correct?

YES NO

5. You were issued an electronic speed detecting device (Lidar). There is a speed limit sign of 25 mph in your district, on a business street. You parked next to the sign and started stopping all vehicles going over 25 mph using your new Lidar. In court those citations are being dismissed. Did you do something wrong?

YES NO

6. Upon 2 lane roadway, do vehicles have to travel as close to the right side as practicable?

YES NO

7. A vehicle, while being passed, increases speed. Is that a violation? YES NO

8. A vehicle driven on a one-way, two lane street, approaching a bridge is driving on the left side of the roadway. Is that a violation? YES NO

9. The roadway is divided into three lanes: eastbound, westbound, and center lane. You noticed a vehicle overtake another by using a center lane. Violation? YES NO

10. You remember that when vehicles follow each other, they must not follow too closely. You observe a funeral procession moving bumper-to-bumper. Violation? YES NO

11. On an empty, two-way street, a vehicle makes a u-turn. Violation? YES NO

12. Right before turning right, the driver activates turning signal. Violation? YES NO

13. Two vehicles approached the four-way intersection at the same time. The vehicle on the left has the right of way. True? YES NO

14. A driver approaching an intersection controlled by a YIELD sign does not have to stop his or her vehicle. True? YES NO

15. When a vehicle emerges from an alley, it does not have to stop before entering the

street as long as it blows the horn three times. True? YES NO

Practice exercise # 4. (Hours 11-12, EQUIPMENT VIOLATIONS)

According to the Illinois Vehicle Code (IVC):

You see a vehicle that has clear, white tail lights. Is that a violation? YES NO

It is a rainy day and a vehicle is driving with the parking lights on. When you warn the driver that it is a violation, he says parking lights are sufficient during the daylight hours. Is the driver correct? YES NO

You see a vehicle that has front turning lights that emit white light and the rear turning lights that emit red light. Is that a violation? YES NO

A vehicle passes your squad car in the opposite direction, and has two regular and three auxiliary headlights. All lights are illuminated. Violation? YES NO

You noticed a vehicle with oscillating amber light parked in front of the City Hall. It has a sign “OFFICIAL PHOTOGRAPHER”. Violation? YES NO

You are a sworn police officer. Since you are technically on duty 24/7, you decided to install a blue, oscillating light inside your personal car. Violation? YES NO

You noticed a vehicle with heavily tinted windows. The driver states that he is excluded from the restrictions, because has frequent migraines. Violation? YES NO You stop a vehicle for speeding. The driver is wearing a seat belt, but his 15 year old son in the back seat does not. Is this a violation? YES NO

You spotted an antique car that has a big blue dome on the top of the roof and word POLICE painted on the sides. Is this a violation? YES NO

Next day you spotted a black Chevy Caprice with black rims, a spotlight, four small antennas sticking from the trunk, a camera mounted just inside the windshield, handcuffs hanging from the rear view mirror and a sign "SPECIAL FUNCTIONS" taped to the rear windshield. Driver is a civilian. Is this a violation? YES NO

As you patrol a School Speed Zone, you noticed a vehicle drive by with a driver talking on a cell phone. When you pull her over, she says that she is using a Bluetooth headset, so you should learn the law and let her go. Is she correct? YES NO

You are called to a loud music disturbance in the shopping mall's parking lot. A WBUT van is parked there as a part of a grand opening promotion and is playing polka music so loud, you can hear it from 500 feet away. Violation? YES NO

You noticed a carriage driving downtown has no slow-moving emblem attached to it. You question the driver. He says that his horse is very fast, so he is exempt from that requirement. Is he correct? YES NO

Practice exercise # 5. (Hours 13-16, CITATION ISSUANCE AND BONDING RULES)

Circle the correct answer:

It is a sound practice to check a registration via dispatcher or PDT prior to pulling a vehicle in question over. YES NO

care your concern at all. YES NO

Do you always have to write a citation motorist you stopped? YES NO

Can a single citation require a court appearance? YES NO

Should officer explain requirements to resolve the citation to the driver? YES NO When writing the ticket, you decided that you want to go to court this week and get it over with. You set the court date 5 days from today. Is that OK? YES NO

The driver you issued a citation resides in Alaska. Can she sign the Promise to Comply instead of posting her driver's license? YES NO

The next driver you stopped has a United States Department of State driver's license. Can that person sign the Promise to Comply and keep their license? YES NO

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